

MINUTES  
WATER QUALITY ASSURANCE REVOLVING FUND ADVISORY BOARD  
Arizona Department of Environmental Quality Conf. Room 250, 1110 W. Washington Street,  
Phoenix, Arizona  
May 30, 2003

**BOARD MEMBERS IN ATTENDANCE:**

Frank Corkhill	Nancy Petersen for Karen Masbruch
Molly Greene for Kelly Barr	Chuck Shipley
Tamara Huddleston	Lee Stein
David Kimball	Tom Suriano
Rick Lavis	Jim Viereg
Janet Marcus	Kerri Ann Wade
Phil McNeely	

**BOARD MEMBERS ABSENT:**

Lori Faeth  
Karen Gaylord  
Will Humble  
Karen O'Regan

The meeting was called to order at 9:00 a.m.

**Action Items:**

1. An assignment will be given to the Legislative Committee to address additional funding for ADWR from other programs who are benefitting from ADWR's work.
2. ADWR will compile some information regarding what percentage of the work that is funded by WQARF is performed for WQARF sites vs. work that is performed for other programs.

**I. Welcome/Opening remarks/Administrative Issues**

- A. Chairman Lavis informed the Board that the Governor's office had received and accepted Dr. Conway's resignation. Chairman Lavis noted that Dr. Conway hadn't been attending meetings, so Chairman Lavis called and wrote to ask of his intentions. The Board needs an academic replacement, but the academic community has not been able to make it to Board meetings in the past.
- B. Chairman Lavis announced that Kathi Tees had a baby girl in April and mother and daughter are doing well.
- C. Chairman Lavis announced that the next meeting is scheduled for the end of June next meeting but the meeting date is subject to change depending on budget adoption. The Board needs to adopt the budget, so there may be a need to meet in July.

- D. Chairman Lavis announced that Simon Navarro is retiring after 27 years of state service. Chairman Lavis thanked Mr. Navarro for his for service to the Department and Board.
- E. Chairman Lavis introduced Mr. Michael Nickelsburg who is with the Auditor General's office and is involved in the Sunset review of ADEQ. Chairman Lavis met with Mr. Nickelsburg to discuss the Board and the WQARF program. A report will be available around the end of the year. Mr. Nickelsburg will be attending Board meetings and may want to meet with Board members during the audit process.

**II. Approval of April 25, 2003 Meeting Minutes** - Mr. Shipley made a motion to approve the March 28, 2003 meeting minutes; Ms. Marcus seconded the motion. The minutes were approved.

**III. Department Reports**

- A. **ADWR** - Mr. Corkhill provided a presentation of ADWR's program and work associated with the WQARF program. Chairman Lavis welcomed and thanked Mr. Herb Guenther for his work with the Board. Mr. Corkhill explained the background of the Groundwater Task Force recommendations for ADWR's involvement in the WQARF program. He explained why ADWR is involved in WQARF and what ADWR's responsibilities include. Current ADWR activities include: well application reviews; special well construction and abandonment procedures; conduit well analysis; inspections; and well inventories.

Mr. Kimball asked whether ADWR receives funding from other programs for NOI reviews, RCRA, DOD, and UST related reviews. Mr. Corkhill responded no, ADWR does not receive funding from other programs to support this work, it is all paid for by WQARF. Mr. Corkhill referenced the statute as indicating that ADWR has to look at all potential contamination. Mr. Kimball stated that other programs with funding who are requesting or benefitting from ADWR's work should fund ADWR's work so that WQARF doesn't pay for non-WQARF work. Mr. Shipley asked if ADWR could put together information to assist the Board in developing a recommendation to ADEQ regarding having other programs contribute to ADWR's funding. Mr. Corkhill responded that the Board might want a breakdown of the percentage of work done related to WQARF sites vs. UST, DOD, etc. ADWR will put some information together for the Board. Mr. Viereggs stated that a couple of years ago the Board had asked ADWR for an accounting by year of what was spent on eleven statutory requirements. Mr. Shipley responded that the Board did not receive the historical information, but did receive projections for the future. Mr. Viereggs asked whether the Board still needs this information to determine the effectiveness of ADWR's role in the WQARF program. Mr. Shipley responded yes, the Board needs the historical information and ADWR is making progress in providing the information. Chairman Lavis stated that he had met with staff to set up a budget reporting format for ADWR starting in July. ADWR will provide monthly reports, similar to the ones provided by ADEQ. Mr. Kimball stated regarding well applications, an assignment should be made to the

Legislative Committee for consideration next year to address additional funding for ADWR for next year from other programs who are benefitting from ADWR's work. Ms. Petersen noted the usefulness of the well inventories prepared by ADWR and thanked Mr. Corkhill for his presentation. Chairman Lavis thanked Mr. Corkhill and Mr. Guenther for the presentation.

- B. ADEQ** - Mr. McNeely went over the action items from the April meeting. A joint letter from ADEQ and ADHS regarding roles and responsibilities for risk assessment review was sent to the Board. ADEQ confirmed the funding from working parties on WQARF sites to be close to \$24 million; this does not include the work done by the Pinal Creek Group.

Mr. McNeely announced Simon Navarro's retirement and thanked him for all of his work. Mr. McNeely announced that ADEQ will be losing another community involvement coordinator; Alex Zavala is moving to Washington D.C. for a fellowship. Mr. McNeely stated that ADEQ will have to cut back on community involvement.

Mr. McNeely provided updates on the Broadway-Pantano dedication; the Central and Camelback and Tyson Wash early response actions; and the Vulture Mill cleanup. Remedial investigation (RI) fieldwork will be completed at many sites this year, so next year ADEQ will be working on associated reports.

1. Mr. McNeely stated that the Arizona Superfund Programs List (ASPL) has been updated to remove pending PI sites; copies have been distributed to the Board and are available to the audience. ADEQ will track pending PI sites internally and provide the information if requested as it is public information.
2. Chairman Lavis discussed the role of the WQARF Technical Advisory Committee. The WQARF Technical Advisory Committee will coordinate with the UST Policy Commission to share information between the Board and the Commission. Mr. Kimball stated that at the last UST Policy Commission meeting during discussions regarding risk assessment and risk management, it was acknowledged by ADEQ and ADHS that ADEQ intends to perform exposure pathway analyses (a component of risk assessments). This conflicts with the letter from ADEQ and ADHS on roles and responsibilities. Mr. Kimball stated that at the meeting, Shannon Davis indicated that ADEQ is preparing a matrix showing what ADEQ will do compared to what ADHS will do. Chairman Lavis suggested inviting members of the UST Policy Commission to attend WQARF Board meeting and for Board members to attend Commission meetings.
3. Mr. McNeely indicated ADEQ will work to address the recommendations from the PRP Search Ad Hoc Committee. Some of the recommendations depend on the budget; ADEQ is open to suggestions from the Board. Mr. McNeely asked for clarification on the intent of recommendation #8. Mr. Suriano responded that ADEQ should try to find ways to encourage private sector work on remedial investigations; perhaps there things that ADEQ

can do to get more private party work earlier in the process. Chairman Lavis requested that ADEQ bring budget related recommendations to the Budget Committee.

4. Mr. McNeely provided a copy of the Drought Task Force Executive Order. The task force is evaluating what water suppliers may need help during summer drought. Karen Smith is ADEQ's representative. The task force is looking at short and long term issues.

#### **IV. Committee Reports**

- A. **Ad Hoc Qualified Business Settlement Committee** - Chairman Lavis informed the Board that the next meeting is scheduled for August 1. The draft language being prepared by Marty Jones of the Attorney General's office will be available for this meeting.
- B. **Legislative Committee** - Ms. Molly Greene notified the Board that HB 2264 had been signed by the governor and is now referred to as Chapter 167. Funding for FY04 continues to be a topic of Legislative Committee meetings; the committee is working on a strategy to enhance WQARF funding. The latest proposal was for \$5 million; a one time transfer from the Clean Air Fund is being considered. Chairman Lavis noted that the other aspect being discussed by the committee is the footnote. The budget is not expected to be available until July 1. Also regarding Chapter 167, a report from the Board will be due in November. The Board will be working on this report in the coming months.
- C. **Funding Priorities Committee** - Chairman Lavis informed the Board that the second meeting has been held. The E&E model is being discussed and there are several good ideas.
- D. **Budget Committee** - Meeting May 22; looking at about \$ 15 million projection for FY 04'; will make a budget recommendation to Board; expenditures \$ 15.4 million expected to be spent for FY03; have spent \$8.6 to date

- V. **Other Business** - Mr. Vieregg recognized Mr. Navarro and thanked him for his excellent work on QBS program; it has been a pleasure working with Mr. Navarro.

- VI. **Public Comment** - Mr. Jerry Worsham asked whether the new Arizona Superfund Programs List (ASPL) includes all NPL and DOD sites, for instance Motorola 52<sup>nd</sup> street. Mr. McNeely responded that the ASPL does contain all of those sites as well.

Chairman Lavis commented that today is the 60<sup>th</sup> meeting of the WQARF Advisory Board.

- VII. **Adjournment** - Mr. Kimball made a motion to adjourn; Mr. Shipley seconded the motion. The meeting was adjourned at 10:35 a.m.